

**INTERVIEW SUMMARY UNDER 37 CFR §1.133 AND MPEP §713.04**

A telephonic interview in the above-referenced case was conducted on May 4, 2004 between the Examiner and the Applicants' undersigned representative. The Office Action mailed on February 13, 2004 was discussed. Specifically, the rejections of claims 1, 6-9, and 20-28 and the proposed amendments set forth herein were discussed with the intent to place the claims in better condition for allowance or appeal. The Applicants wish to thank the Examiner for his time and attention in this case.

## **REMARKS**

Claims 2-5, 10-19, and 29-30 have been cancelled. Claims 1 and 22 have been amended to clarify the subject matter regarded as the invention. Claims 1, 6-9, and 20-28 remain pending.

The Examiner has rejected claims 1, 6-9, and 20-28 under 35 U.S.C. §103.

The rejection is respectfully traversed. As amended, claim 1 recites "...a switch connecting said one or more integrated circuits to said interface for receiving an external stimulus, wherein the external stimulus, based on a position of the switch, determines said first active response and said second active response when said interactive frequency tag apparatus is polled by said polling device; and an output device configured to generate a signal corresponding to the first active response and the second active response, when said interactive radio frequency tag apparatus is polled." None of the references, either in combination or alone, disclose or suggest the claimed invention. Thus, Applicants submit that claim 1 is allowable.

Claims 6-9 and 20-21 depend from claim 1 and are believed to be allowable for the same reasons described above. Claim 22 has been amended similarly to claim 1 and is also believed to be allowable for the same reasons as those stated above for claim 1. Claims 23-28 depend from claim 22 and are also believed to be allowable for similar reasons.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,



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## Applicant Initiated Interview Request Form

Application No.: 09 / 306,688 First Named Applicant: Oliver T. Bayley  
Examiner: Vernal U. Brown Art Unit: 2635 Status of Application: Pending

### Tentative Participants:

(1) Examiner Brown (2) Scott Kokka of Van Pelt & Yi LLP  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 05/04/2004 Proposed Time: 11:00am EDT (AM/PM)

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

RECEIVED

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

JUN 08 2004

If yes, provide brief description: \_\_\_\_\_

Technology Center 2600

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1, 6-9, 20-28</u>	<u>per 02/13/2004 Off. Action</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

Please see the attached sheet for draft proposed/unofficial amendments to be discussed during the Examiner interview.

An interview was conducted on the above-identified application on MAY 4, 2004.

### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.